

REMARKS

The Office Action dated May 11, 2007 has been received and its contents carefully noted. By the above actions, claims 1-21 are pending in the application. In order to better define that which Applicants regard as the invention, claims 1 and 11 have been amended. No new matter has been added. Support for the amendments is provided in the original claims, Figures 1-6, and related text of the specification.

In view of these actions and the following remarks, reconsideration of this application is now respectfully requested.

Rejections under 35 U.S.C. §103

Claims 1-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,152,824 to Rothschild et al. In view of the amendments to independent claims 1 and 11, Applicants respectfully submit that the rejection has been overcome. In particular, claim 1 has been amended to recite that “the one or more remote user systems communicate parameters only to the one or more software game modules.” (emphasis added.) Similarly, claim 11 has been amended to recite the step of “communicating, to the console system, one or more parameters from the remote user system via the game module, the remote user system passing the one or more parameters only to the game module.” (emphasis added.) Contrary to the claimed invention, Rothschild et al. fails to disclose, or even suggest, a system comprising a console system with base-functionality modules and a software game module utilizing the base-functionality modules to provide interactive game content to remote user systems, where remote user systems only communicate parameters to the software game module and not directly to the console system.

The present specification, with reference to FIG. 1, states that the user 110 accesses the software game modules 170 and 172 via a user display device, etc. (See present specification as published, paragraphs [0022] and [0026].) Moreover, the present specification explains that a “[c]onsole system 160 located at server 150 may provide a set of functionality modules that may be utilized by interactive games and other applications provided through various software game (or other) modules,” and

that these “software game modules may send information (e.g. parameters) to the console system to invoke appropriate functionality.” (See specification as published, paragraphs [0020] and [0033].) Thus, in an exemplary embodiment, the user system accesses the game functionality through software game modules 170, 172, which in turn access the base-functionality modules of the console systems. In other words, any communication of parameters from the user systems to the console system occurs only via the software game modules, and parameters from the user systems are not communicated directly to the console system.

In the Office Action, the Examiner asserts that the master control program (MCP) and the matchmaking program (MM) disclosed by Rothschild et al. correspond to the console systems recited in the claims. (See Office Action, page 2, lines 20-23.) In addition, the Examiner asserts that the game instances class server (GICS) and game upper level protocol servers (GULPS) in the cited reference correspond to the software game modules recited in the claims. (See Office Action, page 2, lines 23-25.) Assuming that the Examiner’s assertions are correct, independent claims 1 and 11 would require the user system to pass parameters only to the GICS or the GULPS and not directly to the MCP or the MM. However, Rothschild et al. teaches that a Gizmo (user system) interacts directly with the MCP to authenticate itself with the gaming system. (See Rothschild et al., col. 4, lines 52-55.) In addition, the reference requires the Gizmo to communicate directly with the MM and pass request information to the MM in order to gain access to gaming instances, such as those enabled by the GICS. (See, Rothschild et al., col. 9, lines 22-24, 46-56; col 12, lines 2-3.) In fact, according to Rothschild et al., “only the MM knows which type or type or types of GICSes the Gizmo needs.” (See, e.g., Rothschild et al., col. 9, lines 66-67.) Therefore, the system taught by Rothschild et al. requires the direct communication of game-related information (parameters) from the Gizmo (user system) to both the MCP and MM, which the Examiner asserts make up a console system.

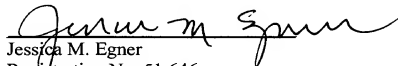
According to the Examiner’s reading, Rothschild et al. requires the user system to pass parameters directly to the console system, and thus fails to teach each and

every element of independent claims 1 and 11. As a result, withdrawal of the rejection is in order and is respectfully requested. In addition, Applicants respectfully submit that dependent claims 2-10 and 12-21 are allowable at least for the reason of their dependency on allowable base claims 1 and 11.

In light of the amendments to the claims and the remarks provided hereinabove, the present application is now in condition for allowance. However, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone in order that further prosecution of this application can thereby be expedited.

Respectfully submitted,

NIXON PEABODY, LLP


Jessica M. Egner
Registration No. 51,646

NIXON PEABODY LLP
Customer No. 22204
401 9th Street, N.W. Suite 900
Washington, D.C. 20004-2128
(202) 585-8000